

ORIGINAL

12-cv-3046
ENV-LB

REMAND OF COMPLAINT AND CIVIL ACTION; SPELLS V. OBAMA
FOR
CONFLICT OF INTEREST; JUDGE ERIC N. VITALIANO

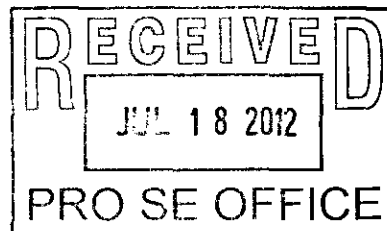
July 18, 2012

Addressed to: Chief Judge; Hon. Carol Bagley Amon, U. S. District Court (EDNY),
 225 Cadman Plaza East, Brooklyn, NY 11201

Dear Your Honor,

Can you please remand my complaint and civil action, to continue further judicial proceedings, because of judge Eric N. Vitaliano's "conflict of interest" technicalities the U. S. court of appeals; second circuit may only continue, with another scandalous order deserving public exposure, if you please your honor, can arrange for upon this request?

In the matter of: *Kevin Spells v. Barack H. Obama*, 12-cv-3046-(ENV)(LB), the summons and complaint based on its creditable merits was never served. Judge Eric N. Vitaliano accordingly; should have removed himself from this civil suit because of him being a party as a defendant in the related case of *Spells v. Vitaliano*, 09-cv-1589-(RRM), and he also decided the U. S. district court ruling in both *Spells I* and *Spells II* which this is the first *Spells I* of the two (2), *Spells v. City of New York*, 06-cv-3448-(ENV)(LB). Which the U. S. Court of Appeals; Second Circuit, Docket No. 06-4625-cv, order illogically did not agree with nor uphold his ruling producing both "unconstitutional" dictated final Supreme Court of the United States, Do. # - 07-10117, orders which my present complaint and civil action hinges on, (please see my complaint). Both complaint and action were dismissed on June 26, 2012, by memorandum order with civil judgment by judge Vitaliano, but his statement turns out to have been a lie, making my complaint out to be what it's not. Which in "legal theory" is truly suing Mr. Obama personally, where he could have had "absolute immunity" if he had executed his duties where these civil action "damages arose" regarding his "nonfeasance" not acting upon the execution of his duties at all, (contrary to *misfeasance* and *malfeasance*). In letting both unconstitutional dictated orders from the Supreme Court of the United States "irrationally stand as a delusion or fantasy of justice" under no proper grounds of our Constitution same as judge Vitaliano, who would not promptly nor decisively address them as "frivolous" in his order, upon his oddly ongoing, historically queer cover-up of both "dictated orders."



Sincerely Yours etc.

Kevin Spells

Plaintiff Pro se

Kevin Spells

109-18 221st Street

Queens Village New York

Tel. No. (718) 468-6673



In the State of New York,

In the County of *Queens*

Sworn to before me on this day,

the *18th* of *July*, 2012